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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,541	12/10/2004	Ronald Joseph Antonius Van Den Oetelaar	NL 020507	5680
24737	7590	12/31/2007	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			ELVE, MARIA ALEXANDRA	
P.O. BOX 3001			ART UNIT	PAPER NUMBER
BRIARCLIFF MANOR, NY 10510			1793	
MAIL DATE		DELIVERY MODE		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/517,541	VAN DEN OETELAAR, RONALD JOSEPH ANTONIU
Examiner	Art Unit	
M. Alexandra Elve	1793	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 09 October 2007.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-10 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 10 December 2004 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2 & 4-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Boszormenyi et al. (USPN 6,394,105).

Boszormenyi et al. discloses a system for laser cleaning and inspection of disc surfaces used for recording data. The laser source is used for inspecting the surface being cleaned and to measure the effect of the cleaning. A pulsed excimer laser is used. The power is monitored and if the power is too high the system is turned off. The area to be scanned on the disc surface can be selected by choosing the appropriate radial and angular position limits. For efficient cleaning of the discs the laser beam shape incident on the disc surface is modified with properly designed shutters and optics. The system may be used with read and record systems and optical and magnetic heads.

A drawing of such an integrated system for cleaning and monitoring cleanliness for discs is shown in FIG. 1 with excimer laser 10 as a source for a beam 11 and a hard disc 12 as a substrate for cleaning. An ultraviolet (UV) laser beam 11 is favored in both cleaning and detection processes because it allows the removal and detection

of smaller particles. The beam from the source 10 is directed through a beam homogenizer 13 and **focusing lenses 14** to the disc 12.

In another example, surfaces having different structures and components from those described herein could benefit from the present invention. ... Those skilled in the art will recognize that the present invention could be **used with heads that only read**, but do not record. Those skilled in the art will also recognize that the present invention could be used to position optical heads rather than magnetic heads.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 & 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boszormenyi et al., as stated above and further in view of Warmenhoven (USPAP 2002/0181379 A1).

Boszormenyi et al. does not teach an information carrier.

Warmenhoven discloses a disk cartridge, which holds a disk (optical, magnetic or another type of disk). The disk has information marks. The cartridge shell has an area for dust (contamination/debris) collection.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use a carrier with cleaning as taught by Warmenhoven because it makes for an integrated cleaning system, that is, cleaning real-time during operation.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boszormenyi et al., as stated above and further in view of Elliott et al. (USPN 5,669,979).

Boszormenyi et al. discloses that for efficient cleaning of the discs the laser beam shape incident on the disc surface is modified with properly designed shutters and optics.

It is the examiners position that the system is capable of forming an oblong shaped laser spot using shutters and optics.

Elliot et al. discloses cleaning of a substrate using a laser, which sweeps the substrate surface. The laser energy removes foreign material. A pulsed laser delivers energy and the energy density used in the removal of foreign material depends largely on the type and amount of foreign material and the need to avoid damaging the substrate. The beam is shaped using a cylindrical lens, which focuses the beam in the elongated region. The elongated dimension of the beam at a substrate surface is selected is based largely upon the size of the substrate to be cleaned. The cylindrical optical component makes the laser spots elliptical or oval. This may also be used in the manufacture of compact disk (e.g. music recordings, computer memories and so forth).

It would have been obvious to one of ordinary skill in the art at the time of the invention to shape the laser spot as taught by Elliot et al. in the Boszormenyi et al. system because it may be tailored to the application.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Warmenhoven in view of Boszormenyi et al.

Warmenhoven discloses a disk cartridge, which holds a disk (optical, magnetic or another type of disk). The disk has information marks. The cartridge shell has an area for dust (contamination/debris) collection.

Warmenhoven does not specific disclose using a laser for contamination removal.

Boszormenyi et al. discloses a system for laser cleaning and inspection of disc surfaces used for recording data. The laser source is used for inspecting the surface being cleaned and to measure the effect of the cleaning. A pulsed excimer laser is used. The power is monitored and if the power is too high the system is turned off. The area to be scanned on the disc surface can be selected by choosing the appropriate radial and angular position limits. For efficient cleaning of the discs the laser beam shape incident on the disc surface is modified with properly designed shutters and optics. The system may be used with read and record systems and optical and magnetic heads.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the laser system as taught by Boszormenyi et al. with Warmenhoven

because it makes for an integrated cleaning system, that is, cleaning real-time during operation.

***Response to Arguments***

Applicant's arguments filed 10/9/07 have been fully considered but they are not persuasive.

Applicant argues that the prior art is independent of any structure for reading information on an information carrier. The examiner respectfully disagrees because Boszormenyi et al. states that the head may be a read only head.

Applicant argues that the prior art does not teach refocusing. The examiner respectfully disagrees because focusing is taught by Boszormenyi et al. and the very act of focusing, entails refocusing as well.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Alexandra Elve whose telephone number is 571-272-1173. The examiner can normally be reached on 7:30-4:00 Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jonathan Johnson can be reached on 571-272-1177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

December 20, 2007.

/M. Alexandra Elve/  
M. Alexandra Elve  
Primary Examiner 1793.